

553271



Alison Wilson <awilson@westgov.org> on 10/19/2001 02:04:31 PM

RECEIVED

To: YMP\_SR@ymp.gov  
cc:

OCT 19 2001

Subject: Possible Site Recommendation for Yucca Mountain

Part of Records Package / Supplement / Correction

Carol Hanlon:

Attached are comments from the High Level Radioactive Waste Committee of the Western Interstate Energy Board (WIEB). WIEB is composed of state representatives appointed by the governors of the western states. The members of the HLW Committee are state experts on nuclear waste and nuclear waste transportation issues. The HLW Committee has been active in spent fuel and high-level radioactive waste transportation issues since the enactment of the Nuclear Waste Policy Act.



- 10-19comments.WPD



# Western Interstate Energy Board/ WINB

October 19, 2001

Alberta  
Arizona  
British Columbia  
California  
Colorado  
Montana  
Idaho  
Nebraska  
Nevada  
New Mexico  
Oregon  
Saskatchewan  
Utah  
Washington  
Wyoming

John Savage  
Chairman

Douglas C. Larson  
Executive Director

Mr. Robert G. Card, Under Secretary  
U.S. Department of Energy  
1000 Independence Avenue, S.W.  
Washington, D.C. 20585

## RE: Possible Site Recommendation for Yucca Mountain

Dear Under Secretary Card:

The High-Level Radioactive Waste Committee of the Western Interstate Energy Board is following with interest the Department's steps leading up to a potential recommendation of Yucca Mountain as a repository, including the *Federal Register* notice of August 30 requesting comments on the potential recommendation of the Secretary to the President. This latest request for comments and related public hearings continues the Department's practice of delaying detailed analysis of the impacts of transporting spent fuel and high-level radioactive waste to the proposed repository. As a result, the Secretary will not have the benefits of the comments of corridor states and the public on transportation impacts prior to making a recommendation to the President.

This pattern of omission is evident in the Department's actions over the past 15 years.

- In the 1986 Environmental Assessment for Yucca Mountain, the Department said it would not address route-specific analysis of the impacts on corridor states of transporting spent fuel and high-level waste to Yucca Mountain, because that would be done at the EIS stage. Specifically, Volume III of DOE's Yucca Mountain Environmental Assessment stated that "[t]he DOE believes that the general methods and national average data used are adequate for this stage of the repository-siting process. Route-specific analyses and an evaluation of the impacts on host States and States along transportation corridors will be included in the environmental impact statement."
- In the July 1999 Draft EIS, DOE failed to meet its 1986 commitment. The DEIS says that "[a]t this time, about 10 years before shipments could begin, DOE has not determined the specific routes it would use to ship spent nuclear fuel and high-level radioactive waste to the proposed repository..." (EIS, Appendix J, J-23)

Under Secretary Card  
October 19, 2001  
Page Two

- In the May 2001 Supplement to the Draft EIS the Department said, "DOE will address all aspects of the Proposed Action, such as the transportation of spent nuclear fuel and high-level radioactive waste and the No-Action Alternative, in the Final EIS" (SEIS, page 1-3). As a result, the public will have no opportunity to review and comment on the promised transportation analysis in the Final EIS before the Secretary submits his recommendation to the President. In addition, in the Supplement DOE has not responded to the previous transportation related comments submitted by the WIEB HLW committee, or for that matter anyone else, on the 1999 Draft EIS. This lack of response defeats any semblance of dialog between the Department and the public.
- In its August 30, 2001 request for comments on the Secretary's consideration of Yucca Mountain for a potential site recommendation, DOE lists areas in which it is seeking comment. Transportation is not one of the areas cited by DOE.

These actions render the EIS, and indeed the whole decision-making process at DOE, both technically and administratively deficient and will preclude adequate analysis of the transportation impacts of shipment of spent fuel and high-level radioactive waste to a repository.

We urge the Department to immediately complete and release for public review and comment the transportation analysis of the Proposed Action so that public comments on this key element of the Yucca Mountain decision can be included in the Secretary's deliberations.

The HLW Committee has been active in spent fuel and high-level radioactive waste transportation issues since the enactment of the Nuclear Waste Policy Act. We have provided the Department with voluminous comments on actions needed for safe and uneventful transportation under the Act. Our most recent comments on the Draft EIS are available at <http://www.westgov.org/wieb/reports/turner.htm>. These comments are based on the policies of the Western Governors' Association: Policy Resolution 99-014 "Transportation of Spent Nuclear Fuel and High-Level Radioactive Waste" and Policy Resolution 01-03 "Assessing the Risks of Terrorism and Sabotage Against High-Level Nuclear Waste Shipments to A Geologic Repository or Interim Storage Facility," which are available at <http://www.westgov.org/wga/policy/99/99014.htm> and [http://www.westgov.org/wga/policy/01/01\\_03.pdf](http://www.westgov.org/wga/policy/01/01_03.pdf).

Sincerely,

Captain Alan Turner, Co-Chair

Ken Niles, Co-Chair

Cc: Lake Barrett, Acting Director OCRWM  
Carol Hanlon, YMP\_SR@ymp.gov